

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MANDY GINA LEIGH,

Plaintiff,

v.

MICHAEL GEARY WILSON,

Defendant.

Case No. [20-cv-04373-SI](#)

**ORDER REMANDING CASE TO
SUPERIOR COURT FOR COUNTY OF
MARIN**

On June 29, 2020, defendant Michael Geary Wilson removed this action from the Superior Court of Marin County to this Court. Defendant's notice of removal states that removal is based upon federal question jurisdiction because, *inter alia*, this case is related to certain other federal cases that Wilson has filed against Leigh and others in which he asserted his constitutional rights. Wilson also filed an administrative motion to relate this case to the other federal cases. In an order filed July 2, 2020, Judge Chesney of this Court deemed this case to be unrelated to the other cases: *Wilson v. Mount Diablo Unified Sch. Dist.*, C 19-3441 MMC; *Wilson v. Wilson et al.*, C 20-1076 JD; *Wilson v. City of Walnut Creek*, C 20-2721 PJH; *Wilson v. County of Contra Costa et al.*, C 20-4160 WHA.

The Court has reviewed the notice of removal and the exhibits filed by Wilson in support of the removal. The Court concludes that removal was improper because there is no basis for federal jurisdiction. This case was filed on August 27, 2019, in Marin County Superior Court by Mandy Leigh seeking a civil harassment restraining order against Wilson based upon state law. Dkt. No. 7 at p. 57. On October 4, 2019, the Superior Court issued a three-year restraining order against Wilson protecting Leigh, her husband and law partner, and their two children. *Id.* at p. 194. The exhibits before the Court show that on June 9, 2020, Leigh filed a motion for contempt with the Marin court,

1 seeking to hold Wilson in contempt for violating the restraining order, and that motion was noticed
2 for a hearing in July 2020. *Id.* at p. 1.

3 The state court action does not involve any federal claims, and thus this Court lacks
4 jurisdiction. *See generally* 28 U.S.C. § 1441(b); *Caterpillar, Inc. v. Williams*, 482 U.S. 386, 392
5 (1987) (federal jurisdiction is governed by “well-pleaded complaint rule” which provides that
6 federal jurisdiction exists only when federal question is presented on the face of a plaintiff’s properly
7 pleaded complaint). Wilson’s contention that this case is “related” to other federal actions and that
8 those actions provide a basis for jurisdiction over this lawsuit is both factually and legally incorrect.
9 Judge Chesney has determined that this action is not related to the other federal actions. Further,
10 even if this case were deemed “related” to the other pending actions under the Northern District’s
11 Civil Local Rules, each case must have its own basis for federal jurisdiction.

12 Accordingly, because the record in this case demonstrates that removal was improper, the
13 Court *sua sponte* REMANDS this case to the Superior Court for the County of Marin. All pending
14 motions are DENIED AS MOOT.

15
16 **IT IS SO ORDERED.**

17
18 Dated: July 6, 2020



19 SUSAN ILLSTON
20 United States District Judge
21
22
23
24
25
26
27
28